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EXAMINER

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ART UNIT	PAPER NUMBER
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3634

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

The status of the claims is as follows:

Claims 1-22 (claim 22 newly added) is herein addressed below.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

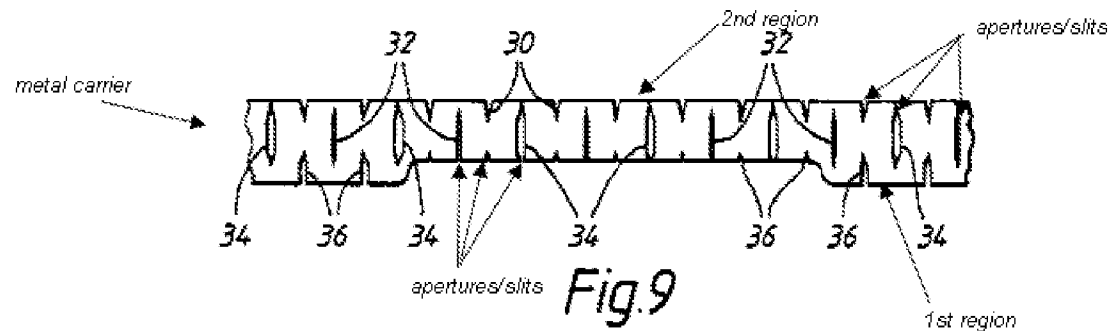
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Bright et al. (5,752,345). As shown in Figures 9 or 10 (depending on how the “width” is defined, i.e., in the flattened state or U-shape), Bright et al. (5,752,345) disclose a weather strip (12) in combination with a motor vehicle (see figure 1) comprising a steel metal carrier (22) having a U-shaped cross-section (sealing flanges each side of the weather strip) having a first region having a first flexibility along a longitudinal length (see figure below) and a second region having a second flexibility along the longitudinal length (see figure below), and an elastomeric material (14) disposed about the metal carrier (22) and including a tubular/hollow sealing feature (16) extending from the weather strip (12). Bright et al. (5,752,345) further disclose the first region having a plurality of apertures disposed generally centrally along the carrier (22). Bright et al. (5,752,345) still further disclose the second region having a plurality of slits (see figure below). Bright et al. (7,752,345) still further disclose the first region and second region to have distinct flexibilities (column 4, lines 50-60). Since the U-shaped carrier, in its

Art Unit: 3634

sealing function, has the same width throughout, both regions have the "same width" throughout.



The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are further rejected under 35 U.S.C. 103(a) as being unpatentable over Bright et al. (5,752,345) in view of Bonds (6,079,160) or Figure 10 of Bright et al. ('345). All of the elements of the instant invention are discussed in detail above except providing the metal carrier to have the same width (when not in a U-shaped sealing form as discussed above). Bonds ('160) and Figure 10 Bright et al. ('345) discloses a U-shaped weather strip having a metal carrier with equal width along a longitudinal axis (in both the flattened and U-shaped bent condition). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the metal carrier of Bright et al. ('345) to have the same width (in both the flattened and U-shaped bent

Art Unit: 3634

condition) as taught by Bonds ('160) or figure 10 of Bright et al. ('345) since the carrier having the same width is cheaper to manufacture.

Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Redman whose telephone number is 571-272-6835. The examiner can normally be reached on M-TH from 8 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Mitchell, can be reached on 571-272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jerry Redman/
Primary Examiner, Art Unit 3634